



# Lamoine Board of Selectmen

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## Minutes of June 8, 2017

Selectman Kathleen Rybarz called the meeting to order at 6:00 PM.

Present were Kathleen Rybarz and Robert Christie acting in their capacity of the Hodgkins Scholarship Subcommittee. Selectman Gary McFarland had informed the board that he was ill and unable to attend.

Kathleen moved to enter executive session pursuant to 1MRSA §405 6(F) to discuss student scholarship applications. Bob 2<sup>nd</sup>. **Vote in favor was 2-0.** In at 6:00 PM. Out at 7:00 PM

**Regular Meeting** – Acting chair Bob Christie called the meeting to order at 7:07 PM. Present were Selectmen Kathleen Rybarz, Robert Christie, Nathan Mason, S. Josephine Cooper (arrived 7:20 PM); Administrative Assistant Stu Marckoon, Tim & Amanda Frost (left prior to the meeting), Plumbing Inspector Michael Jordan, Kim Fitch, Tim and Lilly Philbrook, Angela & Paige Johnson, Lorise & Casey Jordan, Comprehensive Planning Chair Fred Stocking, Comprehensive Planning Alternate Wanda Whitener, Aija Kante, Betta & Elza Cahn, Comprehensive Planning Committee member Kathie Gaianguet, Olivia, Violet & Tiffany Davis, Jennifer & Amelia Ashmore, and Scott Kilcollins. Selectman Gary McFarland had informed the town office he was unable to attend due to illness.

**Agenda** – No change to the printed agenda was proposed.

**Minutes – May 31, 2017** – Kathleen moved to approve the minutes as presented. Bob 2<sup>nd</sup>. **Vote in favor was 3-0.**

**Expenditure warrant 24** – Selectmen signed expenditure warrant 24 in the amount of \$83,748.58. Stu noted the bulk of the expense was the school department.

**Cash & Budget Reports** – Nathan noted that excise continues to exceed expectations.

**Checking Account Reconciliation** – Selectmen signed the statement expressing satisfaction with review of the checking account reconciliation for May 2017 which had been sent via e-mail prior to the meeting.

**Girl Scouts Honored** – Selectmen present signed certificates of commendation for Girl Scout troops 422, 796 and 1008 for their work placing flags at the graves of Lamoine's Veterans. The young ladies present introduced themselves. Bob read the certificates to them. (Jo Cooper arrived and took over as chair of the meeting after this matter)

**Meeting With Comprehensive Planning Committee** – Chair Fred Stocking said he had sent a status report. He said he has sent out most of the committee's work to their consultant for review. He said the upcoming June 15, 2017 meeting will be a busy one. He said the Consultant will be up in July to visit. He said there are a few holes to fill in, but nothing too large. He said they hope to prepare a list of tentative conclusions for a

community meeting in September. He said the plan should be far enough along then to say what the committee wants to say. He said it's been a good spring and they've worked a lot, and he's happy with where things are.

Kathie Gaiaquest said the summary is clear on where things are, but they desire more community input. She asked where things stand with a community center, and asked how that would be coordinated. Mr. Stocking asked if there was a committee yet. Nathan said the Selectmen have not officially called for a committee. Bob said some land adjacent to the school might be available, and the school is taking the lead on that. Kathleen said the Selectmen are looking to recruit a team for the community center and bringing people into that activity. Bob said he appreciates the work of the comprehensive planning committee. Kathleen said perhaps the fall will be the time for a community center. Nathan said it will be a long process.

**Honor Graduates** – Selectmen signed certificates of commendation recognizing the following students who are graduating from high school with honors

| Student          | School                          |
|------------------|---------------------------------|
| Robyn Henry      | John Bapst Memorial High School |
| Ceileigh Weaver  | MDI High School                 |
| Alexander Galeaz | MDI High School                 |
| Zachary Galeaz   | MDI High School                 |
| Erin White       | MDI High School                 |
| Sam Tehennepe    | MDI High School                 |
| Brandon Cote     | Ellsworth High School           |
| Samantha Mason   | Ellsworth High School           |
| Keith Eaton      | Ellsworth High School           |
| Samuel Alvarado  | Ellsworth High School           |

**Resolve Honoring Tim Barlow** – Jo read the resolve honoring retiring school teacher Tim Barlow. Selectmen signed the resolve. Nathan remarked that it's sad to see any of the town's school teachers leave.

**Fairpoint Easement** – Stu said Fairpoint has requested an easement over town land to run wires to the cell tower. Jo moved to sign, Nathan 2<sup>nd</sup>. **Vote in favor was 4-0, Jo signed the easement.**

**Insurance Inspection** – Stu reported that the fire department would repair the two matters at the fire station. Michael Jordan reported on the salt/sand shed. He said it looks like the trusses were struck by dump trucks or a loader. He said the back wall is being pushed out. He said there is a 3-to-4" bow in the wall. He said he recommended getting the engineer who designed the building to take a look at it. Stu reported that he had contacted Jim Kiser and he is willing to do that – the cost would be about \$400.00. A brief discussion about the problem followed. Jo moved to hire Mr. Kiser to assess the damage and suggest repairs. Nathan 2<sup>nd</sup>. **Vote in favor was 4-0.**

**Request for Brownfields Grant Application** – Stu reported he visited Map 5 Lot 2-3 yesterday and observed quite a pile of tires and vehicle parts that appeared to be partially buried. Scott Kilcollins of Better Homes & Gardens Realty said he represents the seller. He said there is no information on any ground contamination at the site, and it would be helpful to have that. He said he researched the Brownfields' program through the Maine Department of Environmental Protection and Tom Martin of the Hancock County Planning Commission (HCPC) sent him to the town. He said he's seeking a soil assessment for contaminants.

Jo asked if there were criteria to meet, and how that is determined. Mr. Kilcollins said the EPA materials were sent to Stu. Stu reviewed the eligibility sheet from the HCPC. Mr. Kilcollins said the property has a fairly low assessed value. Jo said while she sympathized, this does not appear to be a town matter. She said the automobile graveyard which was permitted on this lot was inspected for many years.

Kathleen said that in 2005 the DEP reports there were 66 on site drums that stored fluids, and they responded to a complaint. Mr. Kilcollins said those drums are not currently on site. Stu said he saw some remnants of drums when he visited. Nathan said he concurred with Jo, and he's not sure what the town could do. He said groundwater is a concern. Bob said there's a possibility of contamination, but the town has little jurisdiction over private land. He noted that this is pretty close to Raccoon Cove, and the community deserved to know if there is contamination. He said Mr. Kilcollins should be able to find someone to look at it

LPI Michael Jordan said the junkyard permit holder had to clean up the yard. He said Chris Norris had the cars crushed, and he made some money from that. He said his permit required him to deal with contamination. A brief discussion followed on just what was for sale. Jo said it appears to be the landowner's responsibility to know whether there is a problem. Stu said the town has never received any contamination report from that lot. He asked Mr. Kilcollins what he wanted the town to do. Mr. Kilcollins replied that the town would access the property and remediate any pollution problem. Jo said that is not the town's responsibility and the town would not take any action at this time.

**Digital Sign Bid** – The Selectmen opened the two RFPs for signs received. They were as follows:

| Bidder      | Description | Cost        |
|-------------|-------------|-------------|
| Bangor Neon | Monochrome  | \$23,116.43 |
| Bangor Neon | Full Color  | \$34,582.14 |
| ADM         | Full Color  | \$29,924.00 |

After much discussion and looking over the examples of previous projects, Nathan moved to extend the bid period and use that time to fully study the proposals. Kathleen 2<sup>nd</sup>. Stu asked if a 3<sup>rd</sup> company that said it could not get their bid together in time due to an illness would be allowed to submit. There was no objection. **Vote in favor was 3-0.**

Kathie Gaianguest remarked that she heard concerns at the annual town meeting that a sign should be in keeping with Lamoine's small town ambiance.

**Request for Town Attorney's presence** – Stu reported that Steve Salsbury has asked if the town attorney could assist the Selectmen with a gravel issue on June 22, 2017. He said he checked with attorney Pileggi and he is available.

Bob reported that the Planning Board chair wondered why the attorney was needed. A brief discussion followed. Stu passed out material from Mr. Salsbury, including a map and several contracts.

There was no objection to asking the attorney to attend.

**Paving Order** – Jo moved to approve a Selectmen's order to allow for B & B paving to do the paving next week and bill the town after July 1, 2017. Bob 2<sup>nd</sup>. **Vote in favor was 4-0, Selectmen signed the order.**

**Expiring Appointments** – There was a lengthy discussion on whose terms expire on the Planning Board and their desire only to continue through the MacQuinn pit expansion determination. Stu will provide the board with their approved appointment policy next meeting. It was requested that an advertisement be developed encouraging anyone who wishes to serve to make that known to the town office, regardless of whether the current office holder prefers reappointment or not. Jo moved to advertise all the open positions. Bob 2<sup>nd</sup>. After a lengthy discussion that clarified the motion was to advertise the entire list, the **Vote in favor was 3-1 (Rybarz opposed).**

**Other** - Ms. Gaianguest said she was concerned about the current Planning Board members who are sitting on the MacQuinn application continue to serve for continuity. Nathan said there is a concern that this becomes a political tool.

**Next Meetings** – The Board will hold its next regular meetings on June 22, July 20, and August 3, 2017. No date was set for the September meetings.

**Executive Session** – Jo moved to enter executive session pursuant to 1 MRSA §405(6)(A) to discuss a pair of personnel matters; one involving a job performance review, and one regarding a recent resignation. Kathleen 2<sup>nd</sup>. **Vote in favor was 4-0 at 8:31 PM. Out at 9:15 PM.**

There being no further business, the meeting adjourned at 9:15 PM.

Respectfully submitted,

Stu Marckoon, Adm. Asst. to the Selectmen